IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3422 OF 2006

Santosh Ramu Jadhav ... Applicant
versus
State of Maharashtra ... Respondent

Shri A.M.Mundargi with Niranjan Mundargi for applicant.

Shri S.S.Pednekar, APP for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 25th September 2006

PC :

1. The applicant is arrested in connection with CR No.21 of 2006 registered at Mahad City Police Station. The offences alleged are punishable under sections 302, 398, 201, 120-B r/w 34 of IPC. at the instance of one Shashikant More.

2. The applicant before me is accused no.5. There are in all six accused. The allegation is that the deceased and the complainant while returning to home on motor cycle, were intercepted and assaulted by weapones which are more particularly discribd in the statement of

the complainant at Annexure-A.

3. The only role attributed to the present applicant is that prior to the incident there was some discussion where this applicant was present. It is alleged that a conspiracy was hatched at that time. Thereafter, the blood stains on the public road are allegedly removed by the applicant. There are no recoveries as far as present applicant is concerned, and it is not even the allegation that he was even assaulting the deceased.

4. In such circumstances, only because of the above facts not being disputed, that the applicant shall be enlarged on bail. Hence following order.

5. ORDER :-

(i) The applicant shall be enlarged on bail till conclusion of trial in connection with C.R.No.21 of 2006 registered with Mahad Police Station, Raigad, subject to furnishing a personal bond of Rs.10,000/- (Rs.Ten thousand only) with one or two local sureties in the like sum;

(ii) The applicant shall reside outside Mahad City limits initially for a period of three months and thereafter as per directions of the Trial Court and shall furnish his new address forthwith to the Investigating Authority. The applicant shall not change his new residence without prior intimation to the Investigating Officer;

(iii) Applicant is permitted to enter Mahad City limits only for the purposes of Court Prceedings in connection with CR No.21 of 2006;

(iv) The applicant shall visit the nearest Police Station of his new residence once in a week initially for a period of three months and thereafter as directed by the Trial Court;

(v) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence;

(vi) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the

trial may be a ground for cancellation of bail;

(vii) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial;

(viii) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)